

REMARKS

Applicants have carefully studied the outstanding Official Action. The present amendment is intended to be fully responsive to all points of rejection and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the present application are hereby respectfully requested.

Claims 75-80, 82-86, 95-100, 103-116, 126-130, 138-141, 150, and 152-154 were examined.

Claims 75-77, 82-86, 95, 100, 103, 105, 106, 116, 127 and 150 have now been amended.

New claim 156 has been added.

Claims 79, 80, 96, 97, 107-114, 126, 133, 138-141 and 151-154 have now been canceled.

Claims 75-80, 82, 83, 86, 95-100, 126, 129, 130 and 152-154 stand rejected under 35 U.S.C. 102(e) as being anticipated by Carro (US 2004/0139474).

Claims 84, 85, 127, 128 and 138 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Carro.

Claims 103-106, 139-141 and 150 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Carro in view of Rajamaki (US 2003/0038893) and Ullman (US 6,018,768).

Claims 111 and 112 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Carro in view of Rajamaki, Ullman and Dresti (US 2005/0280743).

Claims 113-115 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Carro in view of Kamieniecki (US 2003/0066080).

The Examiner's rejections are respectfully traversed.

While continuing to traverse the Examiner's rejections, and without in any way prejudicing the patentability of the rejected claims, Applicants have, in order to expedite the prosecution, chosen to amend claims 75-77, 82-86, 95, 100, 103, 105, 106, 116, 127 and 150 and cancel claims 79, 80, 96, 97, 107-114, 126, 133, 138-141 and 151-154.

Claim 150

Support for amended claim 150 is as follows:

A Headend system for transmitting a video and/or audio sequence [PCT patent application page 4 lines 30-5:9] to a target device [page 24 lines 27-30] based on a selection of a streamed broadcast program [page 19 lines 18-23], the streamed broadcast program being broadcast to a user for rendering on a display [page 22 lines 4-6], the selection being selected from the streamed broadcast program by a user selection unit substantially when the selection is rendered on the display [page 23 lines 3-5], the Headend system comprising:

an identifier unit to identify the selection based on a time at which the selection was selected with respect to the rendering progress of the streamed broadcast program on the display [page 43 lines 29-31]; and

a transmitting unit to transmit the video and/or audio sequence based on the selection of the streamed broadcast program to at least one of an external device [page 44 lines 8-10] and an external medium [now cancelled claim 79].

Claim 150 is directed towards a Headend system for transmitting a **video and/or audio sequence** to a target device. The video and/or audio sequence is based on a selection of a streamed broadcast program. The streamed broadcast program is broadcast to a user for being rendered on a display. The selection is selected from the streamed broadcast program by a user selection unit substantially when the selection is rendered on the display.

The Headend system comprises an identifier unit and a transmitting unit.

The identifier unit is operative to identify the selection **based on a time at which the selection was selected with respect to rendering progress of the streamed broadcast program** on the display.

The transmitting unit is operative to transmit the **video and/or audio sequence** based on the selection of the streamed broadcast program to at least one of an external device and an external medium.

None of the references cited by the Examiner describe identifying a selection at a Headend based on a time at which the selection was selected with respect to the rendering progress of the streamed broadcast program and transmitting a video and/or audio sequence based on the selection of the streamed broadcast program to an external device and/or medium.

In particular, the references teach away from the above claim.

Carro describes sending **URL links** based on TV programs being viewed. Carro does **not** describe sending a **video and/or audio sequence** to the external device.

In fact, Carro appears to be unrelated art to the claims of the present application.

Rajamaki describes recording video clips received by the digital broadcast receiver (set top box) **at the digital broadcast receiver** and then using the recorded clips.

There is **no request to a Headend nor transmission from a Headend** of the clips.

Therefore, Rajamaki is unrelated to the claims of the present application.

Ullman describes integrating video programming with Internet information. Upon receipt of the Web pages by the system the web pages are **synchronized** to the video content **for display** (Abstract).

Therefore, Ullman teaches away from displaying related content on another device.

Hardingham describes purchasing still images related to content and then delivering the still images on T-shirts, mugs etc.

Clearly, Hardingham is not involved in the identification and delivery of a video and/or audio sequence.

Kamieniecki or Dresti neither describe the identification nor the delivery of a video and/or audio sequence.

Therefore, claim 150 is both novel and non-obvious.

Other Claims

The amendment of claim 75 is based on the amendment of claim 150.

The amendment of claim 76 is supported by claim 75 prior to amendment and page 24, lines 5-11 and page 37, lines 3-5 of the PCT published patent application.

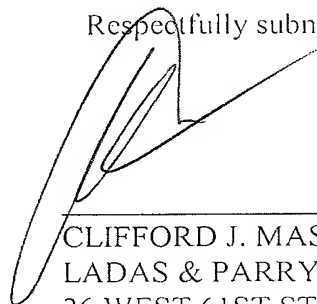
The amendments to the other claims are minor amendments based on the amendments to claims 75 and 76.

New claim 156 is an apparatus claim in means-plus-function format based on amended claim 150.

In view of the above remarks it is respectfully submitted that claims 75-78, 82-86, 95, 98-100, 103-106, 116, 127-130, 150, 156 are in condition for allowance. Prompt notice of allowance is respectfully and earnestly solicited.

Favorable consideration and allowance of the present application are hereby respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Clifford J. Mass", is written over a horizontal line. The signature is stylized with a large, sweeping initial "C" and "M".

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